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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

BORIS GABRIELYAN,

Defendant and Appellant.

B206332

(Los Angeles County
Super. Ct. No. GA067604)

ORDER MODIFYING OPINION AND
DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT:*

It is ordered that the opinion filed June 4, 2009, be modified as follows:

1. On page 13, in the only full paragraph, the following sentence is deleted:
“Appellant was not precluded from presenting additional evidence at sentencing but provided no testimony or other evidence demonstrating that he was remorseful.”
2. In the place of the deleted sentence, the following sentence is added: “Prior to the trial court finding that appellant had provided no evidence of remorse, he was not precluded from presenting such evidence at sentencing but provided none.”

There is no change in the judgment.

Appellant's petition for rehearing is denied.

* EPSTEIN, P.J.

WILLHITE, J.

MANELLA, J.